

Highway, is made a condition precedent to the exercise of their franchise to take toll; *and whereas*, it is a manifest wrong and injustice to the public that the said Baltimore and Harford Turnpike Company should levy tolls while in violation or evasion of those conditions and provisions of their said charter, relating to and providing for the good and perfect order and condition in which their said highway shall be kept, with the design, purpose and intent, on the part of the Legislature, thereby to secure and promote the well being, use, benefit, advantage, convenience, and general prosperity of the public. In consideration of all of which, and the better to define, enforce and secure the rights and remedies provided by and contained in, but obscured by the ambiguous language or the absence of technical legal forms of expression, in the said charter of the Baltimore and Harford Turnpike Company; therefore,

SECTION 1. *Be it enacted by the General Assembly of Maryland*, That if at any time hereafter, the Baltimore and Harford Turnpike, or any part or parts, portion or portions, place or places, thereof, shall, in pursuance of the directions of the charter, (by inquisition,) be found defective and out of order and repair, contrary to the intent and meaning of the charter, it shall be the duty of the Justice of the Peace, before whom the said inquisition hath been found, to cause a copy of the said inquisition, duly certified under his proper hand and seal, to be served upon the Secretary or any officer of the said Baltimore and Harford Turnpike Company; and if within fifteen days thereafter, that is from and after the day of the service of the said copy of the inquisition, the part or parts, portion or portions, place or places, of the said Baltimore and Harford Turnpike, found by inquisition to be and described as out of order and repair, contrary to the force, effect, contemplation, intent and meaning, and construction of the charter, then from and after the expiration of the said fifteen days, it shall not be lawful for the President and Directors, or any officer or officers of the said Baltimore and Harford Turnpike Company, agent or agents, attorney or other person whatsoever, acting for or on the behalf of the said Baltimore and Harford Turnpike Company, to ask, demand, exact, receive, sue for, or by any way, manner or means whatsoever, recover any sum or sums of money whatsoever, levied as a toll from any person or persons travelling upon said Highway, for, or on account of any vehicles, wagons, carts, or any means of conveyance, beasts of burden, or pleasure, or any stock of any kind whatsoever, at the gate or toll-house nearest the part or parts, portion or portions, place or places, of the said Baltimore and Harford Turnpike Road, found defective, and described in the inquisition as aforesaid, to be, and out of order and repair as aforesaid, until and when the President, Directors, Managers, (or some person or persons acting for them,) of the said Baltimore and Harford Turnpike Company, shall cause every and all such part or parts, portion or portions, place or places to be placed and put in good and perfect order and repair, in a masterly and workmanlike manner, agreeably to and in accordance with the force, effect, contemplation, true meaning and construction of the thirteenth section of an act entitled, an act to incorporate a company